THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION No. 3253 of 2006

Between:

Veerapu Reddy Venkata Swamy Reddy and others

..... PETITIONER

AND

The District Collector and others

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

It is the case of the petitioners that they are small and marginal farmers. They are said to have been submitted applications for assignment of lands in the year 1984. The then Tahsildar, after conducting a detailed enquiry, granted assignment in favour of the petitioners on 12.05.1984 and thereafter, the names of the petitioners were mutated in the revenue records and accordingly pattedar pass books and title deeds were also issued in their favour. While so, the second respondent issued a show cause notice, dated 17.03.2005, calling upon the petitioners to show cause as to why appropriate action should not be taken against them. It is further stated that they filed explanations stating that they are eligible for assignment of the lands in question. Now, the grievance of the petitioners is that without passing any orders under the relevant provisions, the respondents are taking coercive steps to evict them from the lands in question. Therefore, this writ petition has been filed by the

petitioners seeking necessary directions in this regard.

The limited grievance of the petitioners is that without passing any orders on the explanations submitted by them, the respondents are taking coercive steps to evict them from the lands in question. Admittedly, against the order, which is to be passed by the respondents, a remedy of appeal and further revision, are available.

In that view of the matter, I am of the opinion that the respondents are not entitled to take coercive steps against the petitioners directly, without passing any orders on the explanations submitted by them. It is further directed that a copy of the final order that may be passed, be served on the petitioners.

The writ petition is accordingly disposed of.

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21.02.2006

Note: Issue C.C. in three days

(B/o)

kdl